

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Jeffrey Grene,)	
)	
Plaintiff,)	Civil Action No. 9:19-3263-BHH
)	
v.)	
)	<u>ORDER</u>
TD Digesters, Inc., ORCA Digesters,)	
Andrew Lackmann and Louis)	
Anagnostakos,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon Plaintiff's pro se complaint alleging causes of action against Defendants for breach of contract, intentional interference with contractual relations, and negligent and intentional interference with prospective economic relations. The Defendants removed this case to federal court on November 19, 2019, asserting diversity jurisdiction, and subsequently filed a motion to dismiss.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 for the District of South Carolina, the matter was referred to a United States Magistrate Judge for

preliminary review. On March 24, 2020, Magistrate Judge Bristow Marchant issued a Report and Recommendation (“Report”), outlining the issues and recommending that the Court grant Defendants’ motion to dismiss (ECF No. 7). Attached to the Report was a notice advising the parties of their right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the

applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge's analysis.

Accordingly, the Court adopts the Magistrate Judge's Report (ECF No. 18) and incorporates it herein, and the Court grants Defendants' motion to dismiss (ECF No. 7) and dismisses this action without prejudice.

IT IS SO ORDERED.

s/ Bruce H. Hendricks

The Honorable Bruce Howe Hendricks
United States District Judge

April 14, 2020
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.